STAFF REPORT
CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION (CTUIR)
PLANNING DEPARTMENT

File No: ZC-20-002
To: Natural Resources Commission
Public Hearing Date: August 25, 2020

Subject:
Zone Change Request - Master Zoning Use Map amendment

Applicant and Property Owner:
John Barkley, 48368 McKay Creed Road, Pilot Rock, OR 97868

Proposed Request:
John Barkley seeks a recommendation of approval from the Land Protection Planning Commission to the Board of Trustees for a change to the Master Zoning map from Rural Residential (R-1) to Community Residential (CR-1) for a 1.28 acre parcel located at 73455 Hwy 331, Tax Lot 2N3310BC01100. The property is just north of Mission Market. Zone Change amendments are subject to the CTUIR Land Development Code Chapters 9 and 13.

Zone change amendments are legislative decisions; the Land Protection Planning Commission (LPPC) will make a recommendation to the CTUIR Board of Trustees who will make the final decision to approve or deny this request.

Location of Proposed Request:
Subject Property: The subject property is located on Hwy 331 just north of Mission Market in the Mission Community area. The subject parcel is 1.28 acres and contains one residence. The parcel is made up of Lots 7 and 8 of Mission Tracts, each being 100’ x 281’ for a total size of 200’ x 281’.

Legal Access: Legal access is from Hwy 331.

Existing and Proposed Zoning: The existing zoning is Rural Residential (R-1) which allows one lot for every 2 acres. The request is to change the zoning to Community Residential (CR-1) which would allow one house for every 10,000 s.f. of lot area.

Intent of Request: If approved, the property owner would work on subdividing the property into 4 lots to allow home development for family in the future.
Current Zoning of Subject Lot and Surrounding Lots
Aerial of Subject Lot with Surrounding Lots and Sewer and Water lines

Legend

- **WaterLines**
- **SewerLines**
- **Hydrants**
- **Meters**
- **Manholes**

0 100 200 400 Feet

ZC-20-002
73455 Hwy 331
2N3310BC-01100
Close-Up of Subject Lot with Adjacent Lots and Electrical Power Lines
**Subject Property Land Use and Permit History:**  Tax Lot 2N3310BC-01100

The property contains one manufactured home. Tribal Planning Office records show that a house was demolished in 2003 under permit DEP 03-01, and a new manufactured home located on the property in 2005 (permit DP-05-007) and a Certificate of Occupancy issued 3/18/05. There is also a homeownership file that shows the well on the property was decommissioned in 2005 when the manufactured home was hooked up to Community Water. The manufactured home was also hooked up to Community Sewer. However, the files do not contain records of whether the septic tank was decommissioned.

**Surrounding Land Uses:** Lands adjacent to the subject properties are as follows:

- North: Single Family Residential
- East: Lucky 7 Trailer Court
- West: Hwy 331 and beyond that vacant property
- South: Mission Market

**Surrounding Zoning.** Figure 1 shows surrounding zoning:

- North and East: Rural Residential;
- West: Industrial;
- South: Commercial;

**Access:**

The property has direct access from Hwy 331. The applicant states he would like to divide the property into 4 lots access and access the back two lots from Horseshoe Lane. Currently Horseshoe Lane is a private road; an easement would be required in order to take access from it. Access to any future development would have to be put in place as part of any future development plan.

**Utilities:** Power is provided by Pacific Power to the area. The property is served by Community sewer and water. Figure 2 shows the location of sewer and water lines within the Hwy 331 ROW. Figure 3 shows a close-up aerial of the property with the electrical lines (Pacific Power).

**Area Drainage:** The area is in the 500 year flood plain of the Umatilla River. There are no restrictions on development within the 500 year area. However, the water table in the area tends to be high in the spring and so ensuring that any new development is sited above the base flood elevation is prudent.

**Soil Type:** The property is classified by the Soil Survey of Umatilla County (Soil Conservation Service, 1988) as Soil Type 109A, Vezie Silt Loam, 1-3% slopes. This soil is characterized by silt, sand and many large cobbles and is typical of the outer 500 year floodplain of the Umatilla River in the Mission area.
Staff Findings:

Tribal Staff Review Committee (TSRC): The TSRC received a copy of the application materials on July 17, 2020 and met on July 23, 2020 to review this request. The Planning Director noted that the 1998 Mission Community Plan shows the lot proposed for the rezone as Community Commercial in the Future Land Use Map. This designation is more intense than the proposed zoning of Community Residential 1 so the direction of the proposed change from less intense Rural Residential to Community Residential 1 is not inconsistent with the Mission Community Plan.

It was also discussed that Hwy 11 is a busy State Highway. State road standards would need to be considered and met if redeveloping the driveway access. The property is served by Community Water and Sewer. While it might be helpful to have a more detailed site plan for how the applicant envisions the property be subdivided or developed in the future, this is not required for this stage of the process. Any future Subdivision would be handled through a separate subdivision application process that would include a survey of the existing site and buildings as well as proposed property lines and access; building permits with appropriate level of building plans would be required for any proposed structures.

Zone Change Approval Criteria: Chapter 9 - Section 9.000 Amendments to the Land Development Code states – “This Code may be amended by changing the boundary of zones or by changing any other provisions thereof, whenever the public necessity and convenience and the general welfare requires such an amendment.” Section 9.015 lists the standards for a Zone Change. The applicant’s responses to these criteria and staff analysis follow.

1. Conformance with the Comprehensive Plan.

The applicant states that the rezone would allow the 1.28 acre property to be subdivided in the future into 4 lots, allowing his children/grandchildren to build homes. He states the proposal is consistent with the 2010 CTUIR Comprehensive Plan (updated in 2018) policies cited in Chapter 5 Housing:

1. Expand the number of all types of housing units on the Reservation for Tribal members at all income levels;
2. Increase the number of buildable residential lots on the Reservation
3. Develop the capacity of Tribal members to manage their income, expenses, and debt positively and to quality for home mortgages as well as to make home improvements by continuing the Homeownership Program;
4. Implement code and regulatory amendments as required to change on-Reservation housing opportunities for Tribal members;
5. Support Tribal members seeking to build a home on their allotment through integrated advocacy and assistance in navigating the multiple permits and approvals needed;

“This proposal follows these guidelines by expanding housing lots and opportunities for Tribal members to build homes and increase their net worth. I have a daughter who has successfully completed the CTUIR Home Ownership Program, as my wife and I have, and is eligible for financing to construct a residential home.”
**Staff Review:** Staff agrees that the project supports the Comprehensive Plan goals of increasing buildable lots and housing opportunities for Tribal members. Additionally, the 1998 Mission Community Plan envisioned that this property be intensified in use. While the Future Land Use map in the Mission Community Plan shows this lot as “Community Commercial,” there currently is no separate Zoning designation for “Community Commercial” to distinguish it from the more intense “Tourist Commercial” in the casino area. In lieu of this, intensifying the residential uses on the lot to Community Residential seems appropriate. The Mission Community Plan section on Community Residential Lands Policies state:

4. “Permit residential areas to develop up to four (4) dwelling units per acre where developments can be supported by Mission sewer and water;” and

5. “Develop and adopt a new residential zone for the Mission Community Area that permits smaller lots where the Mission water and sewer services are available.”

The lot has 1.28 acres and is served by community sewer and water. Community Commercial zoning would allow one lot for every 10,000 s.f. of lot area. It also would allow for duplex construction. Being right next to the Mission Market Commercial area, it is a logical location for more dense residential development. Right on the other side of Mission Market is Lucky 7 Trailer Court that is in the process of being redeveloped with newer infrastructure that would still provide a manufactured home park setting. The Planning Department is in the process of updating the 1998 Mission Community Plan. Various studies were done as part of the 2018 Mission Community Master Plan that anticipated the update by exploring technical transportation and housing topics. As part of this, the number of needed residential lots was estimated. There is a significant demand for both additional rental and home ownership housing. Upzoning this lot would help in a small way to address that need.

2. **Conformance with all applicable statutes.**

*The applicant states “I intend to comply with all requirements for the use that include:*

- Connection to the existing Tribal water and sewer systems
- Building a residential home either manufactured or stick built;
- Current access available from Highway 331 or in the back of the property via Tribal road;
- It is proposed to subdivide this property into four equally divided parcels”

**Staff Review:** The applicant has stated that they will meet the requirements for the proposed zone; it appears that these standards can be met if the zoning were to be changed.

The Community Residential Zone has the following Purpose:

Section 3.425 The Community Residential Zone is intended to promote areas for community suburban residential development that connect to community water and sewer services where those services are available consistent with the policies of the Mission Community Plan. This zone is intended to create residential neighborhoods for public and private housing.”
The following are the standards in the Community Residential Zone:

SECTION 3.430. ACREAGE DIMENSIONAL STANDARDS.
1. 10,000 square feet minimum lot size for the CR-1 -- Community Residential Zone.
2. Minimum dimension for lots created in this zone is 70 feet.
3. No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed 30 feet in height.

SECTION 3.435. SETBACKS.
1. No building or structure shall be located closer than 20 feet from a front property line or street or road.
2. Side yard: A side yard shall be a minimum of 5 feet and the sum of the two side yards shall be a minimum of 15 feet as measured from the lot side line.
3. Rear yard: The rear yard shall be a minimum of 20 feet as measured from the rear lot line.

SECTION 3.440. REQUIREMENTS FOR USE.
1. All new residential development in a CR-1 -- Community Residential Zone shall connect to the existing Tribal water and sewer systems.
2. All structures, buildings, or similar permanent fixtures shall be set back from the high-water line or mark along all streams or lakes a minimum of 100 feet measured at right angles to the high-water line or mark.
3. Utility and access easements will be provided and improved commensurate with the type and level of development.
4. Access to building sites must be suitably improved to serve emergency vehicles.
5. All new structures must be within 500 feet of a fire hydrant unless approved otherwise by the Fire Chief.
6. Maintenance and operations agreements must be recorded with new lots having shared access, services and facilities.
7. Exterior lighting will be provided, where needed by the property owner.

Each of these standards would be checked in the subdivision and development process. If there is not an existing Fire Hydrant within 500 feet, one would be required as part of the Subdivision process.

The current access via Hwy 331 is legal and sufficient for access, depending on the configuration of the future development, but if separate access is desired from Horseshoe Lane, an easement for access can be pursued as part of the Subdivision process. Currently Horseshoe Lane is not a Public Tribal Road, but rather an easement which would require a specific agreement approved with the CTUIR in order to utilize it for access to new lots.
3. **That there is a public need for a change of the kind in question.**

The applicant supported the need for additional housing opportunities and buildable residential lots by quoting several Comprehensive Plan Housing policies (see Criteria 1).

**Staff Review:** There is a definite need for increased housing opportunities, particularly for residential lots where Tribal members can construct homes. This need is outlined in policies in the 2010 Comprehensive Plan (updated in 2018), in the 1998 Mission Community Plan, and in the 2018 Mission Community Master Plan. Three key policies are listed in Chapter 5 Housing:

1. *Expand the number of all types of housing units on the Reservation for Tribal members at all income levels;*
2. *Increase the number of buildable residential lots on the Reservation*
3. *Implement code and regulatory amendments as required to change on-Reservation housing opportunities for Tribal members;*

This rezone would directly implement policy 4 as a regulatory amendment that would create several housing opportunities for the family of the applicant, who is a Tribal Member.

4. **That need will be best served by changing the classification of the particular piece of property in question as compared with other available property.**

*The applicant states,* “Subdividing this property enables future development for family residential needs and its location is ideal due to its proximity to Tribal offices for employment purposes.

**Staff Review:** The subject property is a good location for additional development as supported by the Mission Community Plan, as well as Highway access, sewer, water and electrical utility services, as well as close proximity to retail and employment.

5. **That there is proof of a change of circumstance or a mistake in the original zoning.**

A change in circumstances has occurred in that housing demand has increased over the years. On a personal level, the applicant’s children are getting older and needing homes of their own.

**Staff Review:** Over time the housing demand on the reservation is increasing. There is general population growth, plus the Tribe is managing and developing its resources successfully causing a desire for Tribal Members to stay and work on the reservation in Tribal enterprises. In addition to the natural increase in demand, the recent flooding has created additional demand as some existing homes in the floodway or 100 year flood plain have become unlivable. Finally, the Mission Community Plan envisioned intensification of zoning in this area that have not yet been implemented.
CONCLUSIONS

Based on the applicable criteria for zone changes staff concludes the following:

1. The proposal would help to support Comprehensive Plan goals for increased housing opportunities.
2. The applicant would meet all applicable statutes as part of any future development including the Subdivision code and Land Development Code requirements regarding development in the Community Residential Zone.
3. The Comprehensive Plan, Mission Community Plan and Mission Community Master Plan demonstrate a public need for increased housing.
4. The subject property is of a good size and location for increased residential density.
5. There is a change in circumstances over the natural progression of time.

DECISION OPTIONS:

The Land Protection Planning Commission may recommend to the Board of Trustees approval, denial, or modification of the proposed amendment. In acting on this request, the Land Protection Planning Commission must choose one of the following options:

1. Recommend approval of the proposed Master Zoning Map amendment to the Board of Trustees;
2. Recommend disapproval of the proposed Master Zoning Map amendment to the Board of Trustees;
3. Recommend modification of the proposed Master Zoning Map amendment to the Board of Trustees;
4. Continue the hearing to a specified time, date, and place; pending further testimony or information;

RECOMMENDATION

Based on the preceding facts, findings and conclusions, staff recommends that the Land Protection Planning Commission recommend approval of the Master Zoning Map amendment for the subject property from Rural Residential 1 to Community Residential 1 without conditions.
CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION
Tribal Planning Office
46411 Tímine Way, Pendleton, Oregon, 97801

AMENDMENT / ZONE CHANGE APPLICATION

Fee: $150.00

Amendment To: Land Development Code -- Section Number __________________

Zone Change: Present Zone R-1 Proposed CR-1

Applicant’s Name: John A. Barkley, Jr.
Address: 48368 McKay Creek Rd., Pilot Rock, OR 97868 Phone: 541-443-2043

Lot Owner’s Name: John A. Barkley, Jr.
Address: 73455 Hwy. 331, Pendleton, OR 97801 Phone: 541-443-2043

Property Description (If Applicable):

Section Township Range
Tax Lot ( ) Allotment ( ): Present Zone: Total Acreage:

Legal Access: Hwy. 331 State Highway

Present Use of Property (Description, including any existing structures and the current use): Residential, home and 2 storage sheds

Proposed Amendment/Zone Change: (Explain in detail)

- A response shall be submitted with this application explaining how this request relates to the applicable decision criteria (see Attached).

I understand that any false statements made on this application may cause subsequent approval by the Natural Resources Commission to be null and void. I hereby certify that I understand that by signing this permit application, I am giving the CTUIR Tribal Planning Office the authorization to conduct any site inspections necessary in reviewing this application.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED!

Date: June 10, 2020

I am the (Circle One): Owner/owner’s authorized representative (If authorized representative, attach letter signed by owner)
CONFEDERATED TRIBES OF THE UMATILLA INDIAN RESERVATION
Tribal Planning Office

AMENDMENT / ZONE CHANGE APPLICATION
SUPPLEMENTAL SHEET

DEAR APPLICANT:

Please fill out this APPLICATION completely and as accurately as possible. If a block does not apply, write "N/A" in the space provided. An incomplete application cannot be processed.

1) Please fill out your full name, current address and phone number.

2) Please fill out the full name, current address and phone number of the legal property owner (s) of the site you are requesting a permit for. If you are the sole property owner, simply write "same" on the first line.

3) This is the location of the site as described by section, township and range. If you are not familiar with this method or you do not have access to this information, we can assist in determining the location upon request.

4) Indicate whether the property is fee land (tax lot) or trust land (allotment) and the parcel number. Also specify the parcel acreage.

5) Indicate the right of way or easement road that allows legal access to the property (e.g., county, road, street, or access road).

6) Indicate the current use or uses of the subject property.

7) Indicate the specific for which you are requesting this Amendment/Zone Change proposal.

8) Explain in details on a separate sheet how the proposed use conforms to the decision criteria (see attached page).

9) Read the statement carefully. Sign and date the application only after the application has been completely filled out.

NOTE: If the information presented is unclear or questionable, you may be required to provide further information such as lease agreements, evidence of legal access, legal ownership, etc.

******************************************************************************

IF YOU HAVE ANY QUESTIONS CONCERNING THE APPLICATION PROCESS OR CODE REQUIREMENTS, FEEL FREE TO EITHER STOP BY THE PLANNING OFFICE OR CONTACT THE OFFICE AT 429-7523

******************************************************************************
NOTES: R-1, the current zoning has a minimum lot size of 2 Acres. CR-1, the proposed zone has a minimum lot size of 10,000 s.f. The property size is 1.28 acres which could not be partitioned under the current zoning, but would be able to be partitioned or subdivided under the proposed zoning. A future process would be required to partition (creation of 3 or fewer lots) or subdivide (creation of 4 or more lots).

At that point a surveyed site plan showing the location of the current structures would be required and best access determined.

ATTACHMENT: AMENDMENT/ZONE CHANGE DECISION CRITERIA.

The Land Development Code and zoning may be amended by changing the boundaries of zones or by changing any other provisions thereof, whenever the public necessity and convenience and the general welfare requires such an amendment. Such a change may be proposed by the Natural Resources Commission on its own motion, or by motion of the Board of Trustees. Any proposed quasi-judicial amendment or change shall first be submitted to the Natural Resources Commission and the Commission shall, within forty (40) days after a hearing, recommend to the Board of Trustees' approval, disapproval, or modification of the proposed amendment.

Standards for Zone Change 1

The burden of proof is upon the one seeking change. The degree of that burden increases proportionately with the degree of impact of the change which is sought. The applicant shall in all cases establish:

(1) Conformance with the Comprehensive Plan.

(2) Conformance with all applicable statutes.

(3) That there is a public need for a change of the kind in questions.

(4) That need will be best served by changing the classification of the particular piece of property in questions as compared with other available property.

(5) That there is proof of a change of circumstance or a mistake in the original zoning.
June 10, 2020

I, John A. Barkley, Jr., own 1.28 acres in Mission, Oregon, at 73455 Hwy. 11, Pendleton, Oregon 97801. I am proposing a zone change from R-1 Rural Residential Zone to CR-1 Community Residential Zone. This zoning change enables me to subdivide this property into four lots that I can bequeath to my children and grandchildren for residential homes they can build in the future.

This is consistent with the 2010 CTUIR Comprehensive Plan (update 2018) cited in chapter 5 – Housing – in which the following objectives will be met:

1) Expand the number of all types of housing units on the Reservation for Tribal members at all income levels;
2) Increase the number of buildable residential lots on the Reservation;
3) Develop the capacity of Tribal members to manage their income, expenses, and debt positively and to qualify for home mortgages as well as to make home improvements by continuing the Homeownership Program;
4) Implement code and regulatory amendments as required to change on-Reservation housing opportunities for Tribal members;
5) Support Tribal members seeking to build a home on their allotment through integrated advocacy and assistance in navigating the multiple permits and approvals needed;

This proposal follows these guidelines by expanding housing lots and opportunities for Tribal members to build homes and increase their net worth. I have a daughter who has successfully completed the CTUIR Home Ownership Program, as my wife and I have, and is eligible for financing to construct a residential home.

I intend to comply with all requirements for use that include:
- connection to the existing Tribal water and sewer systems and other
  uses permitted;
- Building a residential home either manufactured or stick built;
- Current easements available from Highway 331 or in the back of the
  property via Tribal road;
- Subdividing this property enables future development for family
  residential needs and its location is ideal due to its proximity to Tribal
  offices for employment purposed;
- It is proposed to subdivide this property into four equally divided
  parcels.

I respectfully submit this application to comply with CTUIR zoning laws and
have this property available for future homes by family. Any questions or
concerns can be directed to me. Thank you very much.

Sincerely,

[Signature]

John A. Barkley, Jr.
48368 McKay Creek Rd.
Pilot Rock, OR 97868
541-443-2043
LUCKY SEVEN TRAILER COURT

EXISTING RESIDENCE

Hwy 331
ZC-20-002 Public Notification Recipients
Trust/Allotment Notification

<table>
<thead>
<tr>
<th>ALLOTMENT</th>
<th>OWNERSHIP</th>
</tr>
</thead>
<tbody>
<tr>
<td>T2107</td>
<td>T</td>
</tr>
<tr>
<td>C40-D</td>
<td>A</td>
</tr>
<tr>
<td>T2924</td>
<td>T</td>
</tr>
</tbody>
</table>

Taxlot Notifications

<table>
<thead>
<tr>
<th>OWNERSHIP</th>
<th>TAXLOT</th>
<th>OWNER</th>
</tr>
</thead>
<tbody>
<tr>
<td>F</td>
<td>2N3310BC00800</td>
<td>JOHNSON TERRY W &amp; SISSY F</td>
</tr>
<tr>
<td>F</td>
<td>2N3310BC01000</td>
<td>KINDER NANCY M</td>
</tr>
<tr>
<td>F</td>
<td>2N3310BC01100</td>
<td>BARKLEY JOHN ALFRED JR</td>
</tr>
<tr>
<td>F</td>
<td>2N3310BC00500</td>
<td>HAUGSTED CHARLES &amp; LIBBY</td>
</tr>
<tr>
<td>F</td>
<td>2N3310BC00504</td>
<td>BAIRD JACKIE R</td>
</tr>
<tr>
<td>F</td>
<td>2N3310BC00900</td>
<td>ADAMS REBECCA</td>
</tr>
<tr>
<td>T</td>
<td>2N330000000100</td>
<td>USA DEPT OF INTERIOR</td>
</tr>
<tr>
<td>TF</td>
<td>2N3310BC01802</td>
<td>CTUIR</td>
</tr>
<tr>
<td>F</td>
<td>2N3310CB00700 U4</td>
<td>CONNOR LEAH J 1/2 ET AL 1/2</td>
</tr>
<tr>
<td>F</td>
<td>2N3310CB00700 U3</td>
<td>WILLIAMS ANTOINETTE 1/6 ET AL 5/6</td>
</tr>
<tr>
<td>F</td>
<td>2N3310CB00700 U2</td>
<td>CONNER NORMAN J 1/6 ET AL 5/6</td>
</tr>
<tr>
<td>F</td>
<td>2N3310CB00700 U1</td>
<td>SCOTT ETTA 1/6 ET AL 5/6</td>
</tr>
</tbody>
</table>

Public Agency Notifications

<table>
<thead>
<tr>
<th>Contact</th>
<th>Agency</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations Manager</td>
<td>Pacific Power</td>
<td>P.O. Box 220 Pendleton, OR 97801</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ODOT District #12</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1327 SE 3rd Street Pendleton, OR 97801</td>
</tr>
</tbody>
</table>

Exhibit 3
Page 1 of 6
PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Land Protection Planning Commission (LPPC) of the Confederated Tribes of the Umatilla Indian Reservation will hold the following public hearings:

Zone Change File #ZC-20-002 – Applicant, John Barkley, 48368 McKay Creek Rd., Pilot Rock, OR 97868 seeks a recommendation of approval from the Land Protection Planning Commission to the Board of Trustees for a change to the Master Zoning map from Rural Residential (R-1) to Community Residential (CR-1) for a 1.28 acre parcel located at 73455 Hwy 331, Tax Lot 2N33108C01100. The property is just north of Mission Market. Zone Change amendments are subject to the CTUIR Land Development Code Chapters 9 and 13.

The public hearing will be held on Tuesday, August 25, 2020 beginning at 9:00 a.m. Due to the current health emergency (COVID-19) this hearing will be held via Zoom. If you would like to participate in the hearing or provide testimony starting at 9:00 a.m., please join us online at https://us02web.zoom.us/j/83032866050, or by phone at 1-346-248-7799. The meeting ID will be 830-3286-6050.

The public is entitled and encouraged to participate in the hearing and to submit testimony regarding the request. Materials relating to this conditional use request are available from the Tribal Planning Office, 541-276-3099 or online at https://ctuir.org/information-technology/notice-public-hearing-zc-20-002.

Written comments may be sent via e-mail to hollyanderson@ctuir.org or by US mail to the Tribal Planning Office at 46411 Timine Way, Pendleton OR 97801. Written comments must be received no later than 4 p.m. on Friday, August 21. Note that the Tribal Offices may be closed to the public except by appointment. Staff can be reached at 541-276-3099. Thank you.

Lindsey Watchman, Secretary
Land Protection Planning Commission

Exhibit 3
Page 2 of 6
August 14, 2020

PUBLIC HEARING NOTICE

Dear Property Owner:

On August 25, 2020 the Land Protection Planning Commission of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) will hold a public hearing concerning a Conditional Use request.

You are receiving this notice because you are an owner of property located within the I-D Industrial Development zone. According to Section 13.020 of the CTUIR Land Development Code, all owners of property located within 250 feet of property which is the subject of a public hearing, shall be given written notice by mail at least ten days prior to a public hearing.

Zone Change File #ZC-20-002 – Applicant, John Barkley, 48368 McKay Creek Rd., Pilot Rock, OR 97868 seeks a recommendation of approval from the Land Protection Planning Commission to the Board of Trustees for a change to the Master Zoning map from Rural Residential (R-1) to Community Residential (CR-1) for a 1.28 acre parcel located at 73455 Hwy 331, Tax Lot 2N3310BC01100. The property is just north of Mission Market. Zone Change amendments are subject to the CTUIR Land Development Code Chapters 9 and 13.

The public hearing will be held on Tuesday, August 25, 2020 beginning at 9:00 a.m. Due to the current health emergency (COVID-19) this hearing will be held via Zoom. If you would like to participate in the hearing or provide testimony starting at 9:00 a.m., please join us online at https://us02web.zoom.us/j/83032866050, or by phone at 1-346-248-7799. The meeting ID will be 830-3286-6050.

The public is entitled and encouraged to participate in the hearing and to submit testimony regarding the request. Materials relating to this conditional use request are available from the Tribal Planning Office, 541-276-3099 or online at https://ctuir.org/information-technology/notice-public-hearing-zc-20-002.

Written comments may be sent via e-mail to hollyanderson@ctuir.org or by US mail to the Tribal Planning Office at 46411 Timine Way, Pendleton OR 97801. Written comments must be received no later than 4 p.m. on Friday, August 21. Note that the Tribal Offices may be closed to the public except by appointment. Staff can be reached at 541-276-3099. Thank you.

Regards,

Holly Anderson
Associate Planner
PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the Land Protection Planning Commission (LPPC) of the Confederated Tribes of the Umatilla Indian Reservation will hold the following public hearing:

Zone Change File #ZC-20-002 – Applicant, John Barkley, 48368 McKay Creek Rd., Pilot Rock, OR 97868 seeks a recommendation of approval from the Land Protection Planning Commission to the Board of Trustees for a change to the Master Zoning map from Rural Residential (R-1) to Community Residential (CR-1) for a 1.28 acre parcel located at 73455 Hwy 331, Tax Lot 2N3310BC01100. The property is just north of Mission Market. Zone Change amendments are subject to the CTUIR Land Development Code Chapters 9 and 13.

The public hearing will be held on Tuesday, August 25, 2020 beginning at 9:00 a.m. Due to the current health emergency (COVID-19) this hearing will be held via Zoom. If you would like to participate in the hearing or provide testimony starting at 9:00 a.m., please join us online at https://us02web.zoom.us/j/83032866050, or by phone at 1-346-248-7799. The meeting ID will be 830-3286-6050.

The public is entitled and encouraged to participate in the hearing and to submit testimony regarding the request. Materials relating to this conditional use request are available from the Tribal Planning Office, 541-276-3099 or online at https://ctuir.org/information-technology/notice-public-hearing-zc-20-002.

Written comments may be sent via e-mail to hollyanderson@ctuir.org or by US mail to the Tribal Planning Office at 46411 Timine Way, Pendleton OR 97801. Written comments must be received no later than 4 p.m. on Friday, August 21. Note that the Tribal Offices may be closed to the public except by appointment. Staff can be reached at 541-276-3099. Thank you.

Lindsey Watchman, Secretary
Land Protection Planning Commission

Exhibit 3
Page 5 of 6
DATE: July 17, 2020
TO: Tribal Staff Review Committee
FROM: Holly Anderson, Associate Planner, Tribal Planning Office
 REGARDING: Meeting Thursday, July 23, 2020, 2:00 pm, Waluula or call-in
Zone Change Request – ZC-20-002

The Tribal Staff Review Committee is scheduled to meet on Thursday, July 23, 2020 at 2:00 pm., in the Nixyáawii Governance Center Waluula Conference Room to review the following application:

Zone Change File #ZC-20-002 – Applicant, John Barkley, 48368 McKay Creek Rd., Pilot Rock, OR 97868 seeks a recommendation of approval from the Land Protection Planning Commission to the Board of Trustees for a change to the Master Zoning map from Rural Residential (R-1) to Community Residential (CR-1) for a 1.28 acre parcel located at 73455 Hwy 331, Tax Lot 2N3310BC01100. The property is just north of Mission Market. Zone Change amendments are subject to the CTUIR Land Development Code Chapters 9 and 13.

A public hearing with the Land Planning Protection Commission is proposed to be scheduled for August 25, 2020 at 9:00 a.m.

The application and supporting materials for this request are posted on the Free4all shared Drive in the TPO/ZC-20-002 folder.

If you have questions or need further information, please contact Holly Anderson at ext. 7517.

Each committee member should review the proposals:

- To determine its compatibility with the Tribes’ Comprehensive Plan, Land Development Code, and other Tribal Statutes, Resolutions, and Policies;
- To determine the overall impacts this request may impose on Tribal services and utilities, the environment, wildlife, and on the Reservation

Call-in to the TSRC meeting is available at:
If Outside NGC: +1 (541) 429-7050
If Inside NGC: 7050
Participant Code: 726-436-90

Written comments will be accepted until the end of the day on Friday, July 31, 2020.